

Article - Health - General

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§13–3307.

(a) (1) A dispensary shall be licensed by the Commission.

(2) (i) Subject to subparagraph (ii) of this paragraph, beginning December 1, 2024, the Commission may report to the General Assembly, in accordance with § 2–1257 of the State Government Article, on the number of licenses necessary to meet the demand for medical cannabis by qualifying patients and caregivers issued identification cards under this subtitle in an affordable, accessible, secure, and efficient manner.

(ii) Before the Commission determines to submit the report described under subparagraph (i) of this paragraph, the Commission shall provide the Legislative Policy Committee at least 30 days to submit comments to the Commission.

(b) To be licensed as a dispensary, an applicant shall submit to the Commission:

(1) An application fee in an amount to be determined by the Commission consistent with this subtitle; and

(2) An application that includes:

(i) The legal name and physical address of the proposed dispensary;

(ii) The name, address, and date of birth of each principal officer and each director, none of whom may have served as a principal officer or director for a dispensary that has had its license revoked; and

(iii) Operating procedures that the dispensary will use, consistent with Commission regulations for oversight, including storage of cannabis and products containing cannabis only in enclosed and locked facilities.

(c) (1) The Commission shall:

(i) Establish an application review process for granting dispensary licenses in which applications are reviewed, evaluated, and ranked based on criteria established by the Commission;

(ii) To the extent permitted by federal and State law, actively seek to achieve racial, ethnic, gender, and geographic diversity when licensing dispensaries; and

(iii) Encourage applicants who qualify as a minority business enterprise, as defined in § 14–301 of the State Finance and Procurement Article, or who are small, minority, or women–owned business entities to apply for licensure as dispensaries.

(2) Beginning June 1, 2018, a dispensary licensed under this subtitle shall report annually to the Commission on:

(i) The number of minority and women owners of the dispensary;

(ii) The ownership interest of any minority and women owners of the dispensary; and

(iii) The number of minority and women employees of the dispensary.

(d) The Commission shall allow a person to have an ownership interest in or control of, including the power to manage and operate, up to four dispensaries under this section.

(e) (1) A dispensary license is valid for 6 years on initial licensure.

(2) A dispensary license is valid for 4 years on renewal.

(f) The Commission shall allow a dispensary licensed under this section or a dispensary agent registered under § 13–3308 of this subtitle to acquire, possess, transfer, transport, sell, distribute, or dispense edible cannabis products for use by a qualifying patient, a caregiver, or an academic research representative purchasing medical cannabis under § 13–3304.1 of this subtitle.

(g) A dispensary licensed under this section or a dispensary agent registered under § 13–3308 of this subtitle may not be penalized or arrested under State law for acquiring, possessing, transferring, transporting, selling, distributing, or dispensing medical cannabis, products containing medical cannabis, related supplies, or educational materials for use by a qualifying patient, a caregiver, or an academic research representative purchasing medical cannabis under § 13–3304.1 of this subtitle.

(h) The Commission shall establish requirements for security and product handling procedures that a dispensary must meet to obtain a license under this section, including a requirement for a product-tracking system.

(i) The Commission may inspect a dispensary licensed under this section to ensure compliance with this subtitle.

(j) The Commission, in consultation with the Department, shall adopt regulations to require a dispensary to meet any additional requirements that the Commission determines are necessary, including requiring a permit, for the dispensing of edible cannabis products.

(k) The Commission may impose penalties or rescind the license of a dispensary that does not meet the standards for licensure set by the Commission.

(l) (1) Each dispensary licensed under this section shall submit to the Commission a quarterly report.

(2) The quarterly report shall include:

- (i) The number of patients served;
- (ii) The county of residence of each patient served;
- (iii) The medical condition for which medical cannabis was recommended;
- (iv) The type and amount of medical cannabis dispensed; and
- (v) If available, a summary of clinical outcomes, including adverse events and any cases of suspected diversion.

(3) The quarterly report may not include any personal information that identifies a patient.

(m) A dispensary licensed under this subtitle is subject to the Maryland Antitrust Act and the Maryland Sales Below Cost Act.

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